



AMERICA INVESTS IN SOUTH AFRICA

"America seeks to expand, not the borders of our country, but the realm of liberty."

President George W. Bush
May 21, 2003



BACKGROUND

South Africa's transition from apartheid to democracy was one of the world's most compelling events of the 1990s. Today, the country is consolidating its democratic institutions at all levels. South African democracy was designed so that all citizens can participate in government. Non-governmental organizations (NGOs) and community-based organizations (CBOs) can play a vital part in delivering services. A strong civil society contributed to the downfall of apartheid, but this sector weakened when its leaders entered government. It is now re-emerging but struggles to find a new role for itself within a constitutional democracy.

South African democracy has shown its strength in several ways. The 2003 Truth and Reconciliation Commission Report strongly condemns crimes related to apartheid and some attributed to the liberation movement. The report calls for compensation for victims, prosecution of some cases, and broad national reconciliation. The presence of numerous opposition parties and an active media are further evidence of a strong democracy. Further, the South African Government (SAG) and ruling African National Congress (ANC) have acted against corruption, including court action against some top government and ruling party officials and leaders.

South Africa's democracy faces a number of challenges. South Africa has one of the highest crime rates in the world and one of the lowest conviction rates. There were 2.6 million crimes in 2000, many directed against women and children, but only 8% resulted in convictions. People worry about their safety. This anxiety weakens support for South Africa's democracy. The enormous backlog for local municipalities to provide basic services (water, electricity, and health care) to historically disadvantaged communities threatens public support for local government. This could undermine the very foundation of South Africa's democracy.

WHAT IS THE U.S. MISSION DOING?

- Strengthening local government to meet the needs of its public by training ward committees to interact and respond quickly and democratically with community residents.
- Helping municipalities learn best practices from each other using a web-based learning network established by USAID to access local government case studies.
- Supporting NGO-led efforts to amend the tax law giving exemptions and deductions for qualifying non-profit organizations while teaching NGOs how to qualify for tax exemptions and other available government support.
- Training NGO personnel countrywide to conduct fact-finding investigations in order to engage government more successfully in developing policy.
- Training court staff in administration to reduce case backlogs and enable judges and prosecutors to dispense justice more efficiently and effectively.
- Assisting the National Public Prosecuting Authority (NPPA) to improve its investigation of serious crimes.
- Establishing community programs in areas where sexual offenses are high, so case managers and victim assistance officers can process cases through the courts promptly and provide legal and medical support to the victims.
- Helping victims obtain support services from NGOs that prepare child victims to testify in court; monitor cases involving violence against women/children; rehabilitate first time young offenders away from the criminal justice system.

WHAT HAS HAPPENED?

- Crimes are being prosecuted more efficiently. Court backlog in criminal cases declined 10% in 2002 from previous year. Sexual offenses are prosecuted faster. Specially trained case managers handled more than 90% of cases in the high sexual violence communities last year, while victim assistance officers helped 70% of the victims of sexual offenses.
- USAID supported three separate NGO programs that last year assisted 12,566 battered women to apply for protection orders, prepared 255 sexually abused children to testify in court, and improved the conviction rate for sexual offenses by 60%.
- The number of nonprofit organizations that have qualified for tax exempt status has nearly tripled in three years, from 6,637 to 17,223.
- A two year online subscription to Westlaw database to the South African Constitutional Court allows access to a comprehensive set of US and international legal precedents. This will help in adjudicating cases.



Westlaw presentation at S.A. Constitutional Court

- Indiana University, together with South African universities, is doing a train-the-trainers program in legislative drafting.
- Gongaza University is working with the University of Pretoria on ethics and leadership PhD programs.
- Workshops have been held for NGO staff on improving management so they can maximize their efficiency and productivity and improve their ability to raise funds.

WHAT'S NEXT?

- Continue USAID assistance to help the Department of Justice improve court efficiency and handle a larger volumes of cases.
- Assist the National Prosecuting Authority to increase the conviction rate, especially for serious crimes and crimes of violence against women and children.
- Continue support for NGO programs that assist the victims of domestic violence and sexual offenses.
- The Department of Provincial and Local Government and a number of South Africa's municipalities will continue to be assisted by USAID to improve local government performance.
- Initiate an assistance program to help the South African government battle corruption.
- In collaboration with local organizations develop public administration training for key local government officials.



Ambassador meeting with Venda Traditional Leaders

USEFUL WEBSITES

USAID:

<http://www.snapc.org/usaidsa/>

Local Government:

<http://www.hologram.org.za/>

Civil Society:

<http://www.thusanang.org.za/>

National Endowment for Democracy
www.ned.org